

# California Department of Insurance

## Fraud Division

### January 2011 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

**Note:** If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program  
9342 Tech Center Drive, Suite 100  
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

## **January 2011 Workers' Compensation Fraud Convictions**

**Case Number:** 2010000523 FA

**County:** Ventura

**Defendant:** Rafael Alvarez

**City/County of Residence:** Santa Paula/Ventura

**Conviction Date:** 01/18/11

**Offense:** 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)

**Amount Allegedly Defrauded:** TBD

**Sentence:** 180 Days County Jail, 60 Months Formal Probation, TBD Restitution, \$200 Civil Fine

**CDI Case Number:** 08HW019296

**County:** Riverside

**Defendant:** Lisa Michelle Barden, (aka Lisa Degner)

**City/County of Residence:** Rancho Cucamonga/San Bernardino

**Conviction Date:** 01/18/11

**Offense:** 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

**Amount Allegedly Defrauded:** TBD

**Sentence:** 7 years, 08 Months State Prison, 360 Days County Jail, (To Be Served in House Arrest for 180 Days), 1,000 Hours Community Service, 60 Months Formal Probation, TBD Restitution, \$1,000 Criminal Fine

**CDI Case Name:** California Auto Repair

**CDI Case Number:** 10GW003623

**County:** Monterey

**Defendant:** Enrique Padron Celedon

**City/County of Residence:** Greenfield/Monterey

**Conviction Date:** 01/21/11

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance), 1 Count of UI 2117.5 (Acting With Intent to Evade Taxes)

**Amount Allegedly Defrauded:** N/A

**Sentence:** 10 Days County Jail, 3 Years Conditional Probation, \$200 Civil Fine, \$10,000 Criminal Fine (\$6,000 Suspended)

**Case Number:** BA379104

**County:** Los Angeles

**Defendant:** Jorge Ignacio Gurrola

**City/County of Residence:** Not available at this time

**Conviction Date:** 01/27/11

**Offense:** 1 Count of IC 11880(a) (Premium Fraud) (Misdemeanor)

**Amount Allegedly Defrauded:** \$34,255

**Sentence:** 3 Years Summary Probation, \$34,255 Restitution (Satisfied), \$100 Civil Fine (Stayed)

**Case Number:** BA379104  
**County:** Los Angeles  
**Defendant:** Maria Isabel Gurrola  
**City/County of Residence:** Not available at this time  
**Conviction Date:** 01/27/11  
**Offense:** 1 Count of IC 11880(a) (Premium Fraud) (Misdemeanor)  
**Amount Allegedly Defrauded:** \$34,255  
**Sentence:** 3 Years Summary Probation, \$34,255 Restitution (Satisfied), \$100 Civil Fine (Stayed)

**Case Number:** BA369513  
**County:** Los Angeles  
**Defendant:** Timothy Hargrave  
**City/County of Residence:** Not available at this time  
**Conviction Date:** 01/26/11  
**Offense:** 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)  
**Amount Allegedly Defrauded:** \$26,285  
**Sentence:** 2 Days County Jail, 250 Hours Community Service, 3 Years Formal Probation, \$26,285 Restitution \$200 Civil Fine

**CDI Case Number:** 09AW002556  
**County:** Placer  
**Defendant:** Matthew Robert McCoy  
**City/County of Residence:** Rocklin/Placer  
**Conviction Date:** 01/24/11  
**Offense:** 1 Count of PC 550(b)(1) (Failure To Disclose Material Information)  
**Amount Allegedly Defrauded:** \$34,000  
**Sentence:** 30 Days County Jail, 1 Year Formal Probation, \$1,000 Restitution, \$200 Civil Fine, \$100 Criminal Fine

**CDI Case Name:** World Wide Attractions  
**CDI Case Number:** 07GW011584  
**County:** Santa Clara  
**Defendant:** Daniel Ethan Nelson  
**City/County of Residence:** San Jose/Santa Clara  
**Conviction Date:** 01/06/11  
**Offense:** 1 Count of IC 11880(a) (Premium Fraud)  
**Amount Allegedly Defrauded:** \$57,000  
**Sentence:** 4 Months County Jail, 3 Years Formal Probation, \$55,000 Restitution, \$220 Civil Fine

**CDI Case Number:** 09AW015667  
**County:** Placer  
**Defendant:** Patrick Charles Nickel  
**City/County of Residence:** Penryn/Placer  
**Conviction Date:** 01/10/11  
**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
**Amount Allegedly Defrauded:** N/A  
**Sentence:** \$3,000 Restitution (Paid In Full)

**CDI Case Name:** Ray's Auto Care Plus

**CDI Case Number:** 10GW005502

**County:** Monterey

**Defendant:** Ramon Briseno Rendon

**City/County of Residence:** Greenfield/Monterey

**Conviction Date:** 01/20/11

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance), 1 Count of UI 2117.5 (Acting With Intent to Evade Taxes)

**Amount Allegedly Defrauded:** N/A

**Sentence:** 1 Day County Jail, 3 Years Conditional Probation, \$200 Civil Fine, \$10,000 Criminal Fine (\$6,500 Suspended) Now Paid, plus an additional \$500 Criminal Fine

**CDI Case Number:** 07AW020739

**County:** San Joaquin

**Defendant:** Richard Wun Ping Sang

**City/County of Residence:** Stockton/San Joaquin

**Conviction Date:** 01/12/11

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

**Amount Allegedly Defrauded:** \$222,935

**Sentence:** 2 Years State Prison, \$222,934.72 Restitution, \$200 Civil Fine

**CDI Case Number:** 07AW012086

**County:** Sacramento

**Defendant:** Victor Daniel Valenzuela

**City/County of Residence:** Wilton/Sacramento

**Conviction Date:** 01/26/11

**Offense:** 1 Count of IC 11880(a) (Premium Fraud); 1 Count of UI 2117.5 ( Failure to File Return or Report)

**Amount Allegedly Defrauded:** \$174,424.24

**Sentence:** 180 Days County Jail, 5 Years Formal Probation, Restitution of \$ 100,000 to State Compensation Insurance Fund and \$74,424.24 to Employment Development Department, \$200 Civil Fine

**CDI Case Number:** 09BW002828

**County:** Alameda

**Defendant:** Nicholas Van Eyck

**City/County of Residence:** Berkeley/Alameda

**Conviction Date:** 01/28/11

**Offense:** 1 Count of IC 1871.4(a)(2) (False or Misleading Statement in support of a claim)

**Amount Allegedly Defrauded:** \$40,657

**Sentence:** 40 Hours Volunteer Work, 36 Months Court Probation, \$3,000 Restitution, \$200 Civil Fine, \$750 Workers' Compensation Fraud Fund

**Case Number:** 10CR17309

**County:** Amador

**Defendant:** Wesley Windley

**City/County of Residence:** Ione/Amador

**Conviction Date:** 01/19/11

**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

**Amount Allegedly Defrauded:** N/A

**Sentence:** 2 Years Probation, \$100 Civil Fine, \$8,000 Criminal Fine, \$1,270 to Amador County for Investigation Fees

**CDI Case Number:** 07FW008442

**County:** Merced

**Defendant:** Constantino M. Xavier

**City/County of Residence:** Livingston/Merced

**Conviction Date:** 01/21/11

**Offense:** 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)

**Amount Allegedly Defrauded:** \$50,000

**Sentence:** 36 Months Probation, \$50,000 Restitution, \$200 Civil Fine, \$100 Criminal Fine